

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. 87-169

WASTE DISCHARGE REQUIREMENTS FOR:

IMPERIAL WEST CHEMICAL COMPANY  
PITTSBURG PLANT  
PITTSBURG, CONTRA COSTA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, hereinafter called the Board, finds that:

1. The Imperial West Chemical Company, Pittsburg Plant (hereinafter called the discharger) receives waste pickling liquor (ferrous chloride), a hazardous waste, through a pipeline from USS-Posco Industries and processes it into ferrous chloride and liquid ferric chloride. The discharger sells the products for use primarily in wastewater treatment facilities. The discharger uses three surface impoundments on the facility. Ponds A and B are used to store and concentrate the waste pickling liquor, and Pond C is used to store concentrated ferrous chloride product. These three surface impoundments are subject to Section 25208 (the Toxic Pits Cleanup Act of 1984) of the California Health and Safety Code (HSC).
2. The discharger filed an application for exemption dated December 31, 1985, from Sections 25208.4(a) and 25208.5(a) of the HSC for its three surface impoundments pursuant to Sections 25208.4(b) and 25208.5(c) of the HSC, respectively.
3. Section 25208.4 (a) of the HSC requires that on or after June 30, 1988, no person shall discharge liquid hazardous wastes or hazardous wastes containing free liquids into a surface impoundment if the surface impoundment, or the land underneath it, contains hazardous wastes and is within one-half mile upgradient of a potential source of drinking water. Pursuant to Section 25208.2(f) "discharge" includes storage of liquid hazardous wastes or hazardous waste containing free liquids. Section 25208.4 (b) allows the discharger to apply to the Board for an exemption from subsection 25208.4(a). To be granted the exemption, the discharger must:
  - a. demonstrate that extremely hazardous wastes are not currently being discharged into the surface impoundment, and either,
    - 1) the records of the discharger indicate that no extremely hazardous wastes have been discharged into the impoundment, or
    - 2) that extremely hazardous wastes are not present in the surface impoundment, vadose zone or ground water; and
  - b. the surface impoundment is in compliance with Section 25208.5 of the HSC, and a report satisfying the requirements of Section 25208.8 of the HSC has been submitted.

4. Section 25208.5 (a) of the HSC requires that on or after January 1, 1989, no person shall discharge liquid hazardous wastes or hazardous wastes containing free liquids into a surface impoundment unless the surface impoundment is double lined, equipped with a leachate collection system, and groundwater monitoring is conducted. Section 25208.5 (c) allows the discharger to apply to the Board for an exemption from this subsection. Section 25208.5 (c) states in part that "a person may apply for an exemption from subdivision (a) for a surface impoundment ... which was issued waste discharge requirements..."
5. The discharger's surface impoundments are within one-half mile upgradient of a potential drinking water source as defined by 25208.2(s) of the HSC. Specifically, the discharger's surface impoundments are approximately 150 feet above an aquifer currently being used for drinking water. Although the site is not upgradient of the closest drinking water well tapping this aquifer, existing chemical data of the groundwater downgradient of the site shows that this aquifer qualifies as a potential drinking water source.
6. As required by Sections 25208.4(b) and 25208.5(c) of the HSC, the discharger submitted with the application for exemptions a hydrogeological assessment report (HAR) to support its basis for the exemption requests. The HAR and supplemental data transmitted to the Regional Board on January 31, 1986 were reviewed and found to be deficient by Regional Board staff. Specific comments of the deficiencies were transmitted to the discharger on October 28, 1986. These comments were based on requirements contained in Section 25208.8 of the HSC, and on the State Board's Outline of Hydrogeological Assessment Report. The discharger responded to the deficiencies by letter of March 10, 1987. Regional Board staff reviewed this response together with the Regional Board's October 28th comments.
7. The discharger's HAR, supplemental data, and response of March 10, 1987 to the Regional Board staff's comments on the HAR address the requirements of Section 25208.8 of the HSC except for uncertainties regarding hydraulic conductivity, iron concentrations in the soil near the surface impoundments, anisotropy, and vadose zone characterization. Therefore, the discharger's application for exemption from Section 25208.4(a) of the HSC is hereby granted subject to the submission of additional satisfactory information.
8. The action to issue waste discharge requirements for existing waste management units is exempt from the California Environmental Quality Act (Public Resources Section 2100 et. seq.) in accordance with Section 15301 of the California Administrative Code.
9. The Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
10. The Board, in a public meeting held on December 16, 1987, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the discharger and any other persons that own the land or operate these units shall meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder and shall comply with the following:

A. Prohibitions

1. The discharge, storage, or treatment of waste shall not create a condition of pollution or nuisance as defined in Sections 13050 (1) and (m), respectively, of the California Water Code.
2. The discharge of any waste from the surface impoundments to surface or ground waters of the State or to the unsaturated zone surrounding the surface impoundments is prohibited.
3. The discharge or storage of liquid extremely hazardous waste or extremely hazardous waste containing free liquids into the surface impoundments or associated facilities is prohibited.
4. The discharge or storage of any liquid hazardous wastes or hazardous wastes containing free liquids into surface impoundments on the facility is prohibited after January 1, 1989, unless the double liner requirement of Section 25208.5 of the HSC is satisfied and approved by the Board or the Board grants the exemption to the double liner requirement pursuant to Section 25208.5 of the HSC.

B. Provision

1. Pursuant to Finding 7, the discharger shall submit a proposed plan and schedule to provide the following information:
  - a. hydraulic conductivity and velocity and flow for each of the permeable sand zones underlying the site, including delineation of the thickness of permeable zones beneath the site;
  - b. additional background concentration data for iron in soils and evaluation of that data with regard to iron concentrations observed near the surface impoundments;
  - c. specific hydrogeologic data for the differing geologic materials underlying the site to be used in assessing anisotropic conditions;
  - d. physical and chemical characteristics of soil samples in the vadose zone. Samples are to be obtained by continuous sampling from a depth equivalent to the fluid levels in the impoundments down to the depth of the saturated zone. Chemical and moisture analyses will be performed on samples from 5 foot depth increments; the remaining samples will be retained for possible future analyses.

The required work shall be completed and a Report of Investigations shall be presented in accordance with a Plan and Schedule approved by the Executive Officer.

PROPOSAL DUE: January 15, 1988

REPORT DUE: April 1, 1988

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by California Regional Water Quality Control Board, San Francisco Bay Region on December 16, 1987.



Roger B. James  
Executive Officer